



## PCS for HOUSE BILL 1145: Registration Required for Mopeds

2013-2014 General Assembly

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<b>Committee:</b>	House Finance	<b>Date:</b>	June 19, 2014
<b>Introduced by:</b>	Reps. Shepard, R. Brown, Millis	<b>Prepared by:</b>	Trina Griffin
<b>Analysis of:</b>	PCS to Second Edition		Committee Counsel
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**SUMMARY:** *House Bill 1145 would require that mopeds be registered with DMV and that operators of mopeds have liability insurance. The Proposed Committee Substitute deletes the insurance requirement.*

**CURRENT LAW:** Generally, mopeds are not treated as motor vehicles under State licensing, registration, and tax laws. Under current State law:

- A moped is defined as a vehicle that has two or three wheels, no external shifting device, and a motor that does not exceed 50 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface. (G.S. 105-164.3).
- Operators of mopeds are not required to be licensed. (G.S. 20-8); however, no one under the age of 16 can drive a moped on a public highway (G.S. 20-10.1).
- Mopeds are not required to be registered, inspected, or insured. (G.S. 20-4.01(23), G.S. 20-51, G.S. 20-183.2, G.S. 20-309).
- Mopeds are not subject to property tax (G.S. 105-330.1) or highway use tax but are subject to sales tax.

### BILL ANALYSIS:

**Vehicle Registration.** – The bill would repeal the current registration exemption that applies to mopeds and require that mopeds be registered with the Division of Motor Vehicles (DMV). The registration fee would be the same as for motorcycles (currently \$18). The bill would require that a moped have a manufacturer's certificate of origin, and only mopeds designed and manufactured for highway use could be registered with DMV and operated on a highway. An applicant who is unable to provide a manufacturer's certificate of origin would be required to provide an affidavit stating why a certificate is not available and attesting that the applicant is entitled to register the vehicle. By virtue of current law, failure to register a moped would be a Class 2 misdemeanor (G.S. 20-176).

**Study Additional Statutory Changes:** The bill would require DMV, in conjunction with the Department of Justice, the Department of Public Safety, and the Department of Insurance, to study whether additional statutory changes would be needed to ensure the safe operation of mopeds. DMV would be required to submit a report, including its findings and recommendations, to the Joint Legislative Transportation Oversight Committee on or before February 1, 2016.

**EFFECTIVE DATE:** The bill would become effective July 1, 2015 and apply to offenses committed on or after that date.

*Brenda Carter, counsel to House Transportation, substantially contributed to this summary.*

